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May 19, 2022

MEMO ENDORSED

Via ECF and email:

ALCarterNYSDChambers@nysd.uscourts.gov

Hon. Andrew L. Carter, Jr.
United States District Court
40 Foley Square, Room 435
New York, New York 10007

Re: The D&M Capital Group, LLC (the “Debtor”)
Case No. 21-cv-05001 (ALC)

Dear Judge Carter,

This firm represents Shanghai Pearls & Gems, Inc. d/b/a Ultimate Diamond Co., the appellant (“Ultimate” or “Appellant”) in the above-referenced bankruptcy appeal of an Order Approving a Settlement between Alan Nisselson, Chapter 7 Trustee of the bankruptcy estate of The D&M Capital Group, LLC (the “Trustee”) and Radwan Diamond & Jewellery Trading (“Radwan”).

By a Memo Endorsed Order dated April 4, 2022, Appellant’s Brief in this matter is currently due to be filed on or before May 23, 2022.

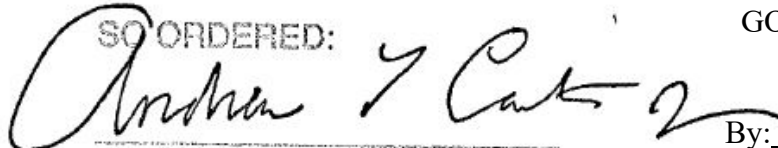
We are writing to request an approximate 60-day extension of the time to file Appellant’s Brief. Appellant has arrived at a settlement of various matters with the Trustee concerning the bankruptcy case of The D&M Capital Group, LLC, which includes disposing of the instant appeal (the “Ultimate Settlement”). The Ultimate Settlement has been memorialized in a Settlement Agreement, and the Trustee has filed a Motion to Approve the Ultimate Settlement with the Bankruptcy Court, and the hearing on the Ultimate Settlement is currently scheduled to take place on June 7, 2022. The Trustee also has motions to approve the Essex Settlement and the S.B. Settlement (referred to by Appellant in previous requests for extensions) scheduled for the same date, approval of which are necessary components to Appellant’s Settlement.

The Trustee has no objection the instant request for an extension.

Accordingly, it is respectfully requested that an approximate 60-day extension of time to Monday, July 25, 2022, to file Appellant's Brief, be granted. Appellant respectfully requests that such an extension be without prejudice to requesting further extensions based on the progress of the approval of the Ultimate Settlement and other facts and circumstances relevant to the matter.

Respectfully,

PLATZER, SWERGOLD,
GOLDBERG, KATZ & JASLOW, LLP

SO ORDERED:

HON. ANDREW L. CARTER, JR.
UNITED STATES DISTRICT JUDGE
Dated: 5/20/2022

By: /s/ Henry Swergold
Henry Swergold

cc: Leslie Barr, Esq., counsel for Trustee (via email)